

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Vrtiska.

SENATOR VRTISKA: Thank you, Madam President and members of the body. Again, I guess I have to rise and ask a question. I noted in the...in the bill or in the amendment, where you were talking about half the width of the...of the pipe, is that right? Besides the 18 inches?

SENATOR KRISTENSEN: The way it reads is that you have a strip of land, 18 inches on either side of the marking of identification, plus one-half the width of the underground facility. So if it's larger than 18 inches, you're going to get that as a margin.

SENATOR VRTISKA: Well, I understand that. And I heard you talking, this morning, about the 36-inch and 42-inch pipe. And I'm talking about 2 and 4-inch pipes, so you're talking about half the distance as 1 inch or 2 inches, which is hardly worth talking about. I was wondering why it couldn't have been a specified number of feet that you would be trying to identify. But, more important than that, I guess the question I really wanted to get to was, what happens to the liability in this particular case if you are unable, as we indicated, to locate the pipe and you go out and try to find it? What happens to liability if they start to dig and you unintentionally break the pipe and cause a problem? What...whose liability does it fall on then?

SENATOR KRISTENSEN: I assume you're asking...

SENATOR VRTISKA: Whoever wants to answer. I don't...I'm sorry.

SENATOR KRISTENSEN: Well, Senator, why don't I take a crack at it, and if you're not satisfied, I'm sure Senator Withem could clear it up.

SENATOR VRTISKA: Senator Withem, would you yield?

SENATOR KRISTENSEN: Why don't you let me take a crack at it.

SENATOR VRTISKA: Oh, okay.

SENATOR WITHEM: He's already not satisfied, Senator Kristensen. (Laughter.)